

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOHN MORGAN,
Defendant.

No. CR 05-00651 CW
ORDER FOR PRETRIAL
PREPARATION FOR
CRIMINAL
JURY TRIAL

Good cause appearing, it is hereby ordered that:

1. TRIAL DATE

a. Jury trial will begin on **October 10, 2006, at 8:30 A.M.**,
in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, California.

b. The length of trial will be not more than 5 days.

2. DISCOVERY

Both sides will comply with the Federal Rules of Criminal
Procedure, Crim. L.R. 16-1, and the United States will comply with
Brady v. Maryland, 373 U.S. 83 (1963) and United States v. Agurs 427
U.S. 97 (1976).

3. MOTIONS

Pretrial motions have been filed by Defendant. Plaintiff's
opposition to the pretrial motions will be due June 5, 2006, and any

1 reply will be due June 12, 2006; thereafter, the motions will be
2 deemed submitted on the papers.

3 4. PRETRIAL CONFERENCE

4 a. A pretrial conference will be held on Monday, **September**
5 **25, 2006, at 2:30 p.m.**, in Courtroom 2. It shall be attended by the
6 attorneys who will try the case.

7 b. **Not less than one week prior to the pretrial conference,**
8 counsel shall comply with Crim. L.R. 17-1(b).

9 c. Jury instructions §1.1 through §1.12, §3.1 through §3.10
10 and §7.1 through §7.6 from the Manual of Model Jury Instructions for
11 the Ninth Circuit (2000) will be given absent objection. Counsel
12 shall jointly submit one set of additional proposed jury instructions,
13 ordered in a logical sequence, together with a table of contents,
14 using the Ninth Circuit Manual where possible, or Devitt and Blackmar
15 or CALJIC, **not less than one week prior to the pretrial conference.**
16 Any instructions on which counsel cannot agree shall be marked as
17 "disputed," and shall be included within the jointly submitted
18 instructions and accompanying table of contents, in the place where
19 the party proposing the instruction believes it should be given.
20 Argument and authority for and against each disputed instruction shall
21 be included as part of the joint submission, on separate sheets
22 directly following the disputed instruction. Counsel for the United
23 States shall submit a verdict form. The attached voir dire will be
24 given to the venire members. Counsel should submit an agreed upon set
25 of additional requested voir dire questions to be posed by the Court.
26 Any voir dire questions on which counsel cannot agree shall be
27 submitted separately. Counsel will be allowed brief follow-up voir
28 dire after the Court's questioning. Any motions in limine should be

1 noticed for hearing at the pretrial conference in accordance with
2 Criminal Local Rule 47-2.

3 5. JURY SELECTION

4 The Jury Commissioner will summon 35 to 40 prospective
5 jurors. The Courtroom Deputy will select their names at random and
6 seat them in the courtroom in the order in which their names are
7 called.

8 Voir dire will be asked of sufficient venire persons so that
9 twelve (plus a sufficient number for alternates) will remain after all
10 peremptory challenges and an anticipated number of hardship dismissals
11 and cause challenges have been made.

12 The Court will then take cause challenges, and discuss hardship
13 claims from the individual jurors, outside the presence of the venire.
14 The Court will inform the attorneys which hardship claims and cause
15 challenges will be granted, but will not announce those dismissals
16 until the process is completed. Peremptory challenges will be made
17 in writing and passed between counsel in accordance with Crim. L.R.
18 24-2 and 24-3. The Court will strike the persons with meritorious
19 hardships, those excused for cause, and those challenged peremptorily,
20 and call the first twelve people (plus alternates) in numerical
21 sequence remaining. Those people will be the jury.

22
23 Dated: 5/24/06



CLAUDIA WILKEN
United States District Judge

JUROR QUESTIONNAIRE

Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: _____

2. Your age: _____

3. The City where you live: _____

4. Your place of birth: _____

5. Do you rent or own your own home? _____

6. Your marital status: (circle one)

single married separated divorced widowed

7. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).

8. Who is (or was) your employer?

9. How long have you worked for this employer? _____

10. Please list the occupations of any adults with whom you live.

11. If you have children, please list their ages and sex and, if they are employed, please give their occupations.

1 12. Please describe your educational background:

2 Highest grade completed: _____

3 College and/or vocational schools you have attended:

4 _____

5 _____

6 _____

7 _____

8 Major areas of study: _____

9 13. Have you ever served on a jury? _____ No. of
10 times? _____

11 If yes: State/County Court _____ Federal Court _____

12 When? _____

13 Was it a civil or criminal case? _____

14 _____

15 _____

16 Did any of the juries reach a verdict? _____

17 _____

18 (Rev. 3/03)

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 _____

28 _____